

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>CITY OF EL CENIZO, TEXAS, <i>ET AL.</i></b>	§	
<b>PLAINTIFFS,</b>	§	
	§	
<b>TRAVIS COUNTY,</b>	§	
<b>TRAVIS COUNTY JUDGE SARAH</b>	§	<b>CIVIL CASE NO. 5:17-CV-404-OLG</b>
<b>ECKHARDT, AND</b>	§	
<b>TRAVIS COUNTY SHERIFF</b>	§	
<b>SALLY HERNANDEZ</b>	§	
<b>PLAINTIFF-INTERVENORS,</b>	§	
	§	
<b>V.</b>	§	
	§	
<b>STATE OF TEXAS, <i>ET AL.</i></b>	§	
<b>DEFENDANTS.</b>	§	

**PLAINTIFF-INTERVENOR-TRAVIS COUNTY’S  
APPLICATION FOR PRELIMINARY INJUNCTION**

Plaintiff-Intervenors, Travis County, Travis County Sheriff Sally Hernandez (in her official capacity) and Travis County Judge Sarah Eckhardt (in her official capacity) (Hereafter “Travis County Plaintiff Intervenors”) hereby join the Application for Preliminary Injunction filed in this cause by Plaintiffs City of El Cenizo, *et al.*, and adopt by reference Plaintiffs’ declarations and Memorandum in Support of Plaintiffs’ Application for Preliminary Injunction. [DKT 24].

Travis County Plaintiff-Intervenors offer the additional declaration of Travis County Sheriff Sally Hernandez, attached hereto as Ex. 1, to support Travis County Plaintiff Intervenors Application for Preliminary Injunction. Sheriff Hernandez has provided information about the particular harm she has suffered and her perspective as a target of the State’s legislation, SB 4.

(See attached Declaration. Ex. 1). In her Declaration, Sheriff Hernandez addresses numerous issues related to SB 4 including the effect of SB 4's detainer provision on the Travis County Jail.

As set forth in the Memorandum, [DKT 24] Plaintiffs have established that they and Travis County Plaintiff-Intervenors are likely to succeed on the merits of their claims that SB 4 violates the Constitution; that Plaintiffs and Travis County Plaintiff-Intervenors, will suffer irreparable harm if the Court does not enjoin SB 4; that the Defendants will suffer no harm if the Court preserves the status quo pending adjudication of this matter on the merits; that the balance of hardships tips strongly in favor of Plaintiffs and Travis County Plaintiff-Intervenors and that a preliminary injunction in this case advances the public interest.

So as to not to delay the proceeding, for these reasons, and the reasons detailed in Plaintiffs' Memorandum in Support of Plaintiffs' Application for Preliminary Injunction, Travis County Plaintiff-Intervenors respectfully request that the Court grant the Plaintiff Intervenors Travis County, Travis County Judge Sarah Eckhardt and Travis County Sheriff Hernandez's Application for Preliminary Injunction.

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Dated: June \_\_, 2017

Respectfully Submitted,

**DAVID A. ESCAMILLA**

**TRAVIS COUNTY ATTORNEY**

P. O. Box 1748  
Austin, Texas 78767  
(512) 854-9415  
(512) 854-4808 FAX

By: /s/ Sherine E. Thomas

Sherine E. Thomas  
Assistant County Attorney  
State Bar No. 00794734  
[sherine.thomas@traviscountytx.gov](mailto:sherine.thomas@traviscountytx.gov)

Sharon K. Talley  
Assistant County Attorney  
State Bar No. 19627575  
[sharon.talley@traviscountytx.gov](mailto:sharon.talley@traviscountytx.gov)

Anthony J. Nelson  
Assistant County Attorney  
State Bar No. 14885800  
[tony.nelson@traviscountytx.gov](mailto:tony.nelson@traviscountytx.gov)

Laurie R. Eiserloh  
Assistant County Attorney  
State Bar No. 06506270  
[laurie.eiserloh@traviscountytx.gov](mailto:laurie.eiserloh@traviscountytx.gov)

Tim Labadie  
Assistant County Attorney  
State Bar No. 11784853  
[tim.labadie@traviscountytx.gov](mailto:tim.labadie@traviscountytx.gov)

**ATTORNEYS FOR TRAVIS COUNTY  
PLAINTIFF-INTERVENOR**

## **CERTIFICATE OF SERVICE**

I hereby certify that on June, 12, 2017, the foregoing Opposed Motion to Intervene was served on the following attorneys of record in the manner stated, pursuant to Fed. R. Civ. P. 5(b):

### **ATTORNEYS FOR THE EL CENIZO PLAINTIFFS:**

#### **Via CM/ECF**

Luis Roberto Vera, Jr.  
LULAC National General Counsel  
SBN: 20546740  
THE LAW OFFICE OF LUIS ROBERTO  
VERA, JR. & ASSOCIATES  
1325 Riverview Towers  
111 Soledad  
San Antonio, TX 78205-2260  
Phone: (210) 225-3300  
Fax: (210) 225-2060  
[lrqlaw@sbcglobal.net](mailto:lrqlaw@sbcglobal.net)

#### **Via CM/ECF**

Max Renea Hicks  
LAW OFFICE OF MAX RENEH HICKS  
P.O. Box 303187  
Austin, TX 78703  
Phone: (512) 480-8231  
[rhicks@renea-hicks.com](mailto:rhicks@renea-hicks.com)

#### **Via CM/ECF**

Lee Gelernt  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
125 Broad Street, 18th Floor  
New York, NY 10004  
Phone: (212) 549-2600  
Fax: (212) 549-2654  
[lgelernt@aclu.org](mailto:lgelernt@aclu.org)

#### **Via CM/ECF**

Edgar Saldivar  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION OF TEXAS  
1500 McGowen Street, Suite 250  
Houston, TX 77004  
Phone: (713) 325-7011  
[esaldivar@aclutx.org](mailto:esaldivar@aclutx.org)

#### **Via CM/ECF**

Cody H. Wofsy  
AMERICAN CIVIL LIBERTIES UNION  
FOUNDATION  
39 Drumm Street  
San Francisco, CA 94111  
Tel: (415) 343-0770  
[cwofsy@aclu.org](mailto:cwofsy@aclu.org)

### **ATTORNEY FOR THE CITY OF SAN ANTONIO PLAINTIFFS:**

#### **Via CM/ECF**

Deborah Lynne Klein  
Office of the City Attorney, Litigation  
Division  
Frost Bank Tower  
100 West Houston Street, 18<sup>th</sup> Floor  
San Antonio, TX 78205-3966  
[Deborah.klein@sanantonio.gov](mailto:Deborah.klein@sanantonio.gov)

**ATTORNEYS FOR MALDEF:**

**Via CM/ECF**

Nina Perales  
[nperales@maldef.org](mailto:nperales@maldef.org)  
Marisa Bono  
[mbono@maldef.org](mailto:mbono@maldef.org)  
Celina Y. Moreno  
[cmoreno@maldef.org](mailto:cmoreno@maldef.org)  
MALDEF  
110 Broadway Street #300  
San Antonio, TX 78205

**ATTORNEYS FOR THE  
EL PASO COUNTY PLAINTIFFS:**

**Via CM/ECF**

Jose Garza  
Michael Moran  
GARZA GOLANDO MORAN, PLLC  
115 E. Travis St., Ste. 1235  
San Antonio, Texas 78205  
[garzpalm@aol.com](mailto:garzpalm@aol.com)  
[michael@ggmtx.com](mailto:michael@ggmtx.com)

**Via CM/ECF**

Jo Anne Bernal  
El Paso County Attorney  
500 E. San Antonio  
5<sup>th</sup> Floor, Suite 503  
El Paso, TX 79901  
[joanne.bernal@ca.epcounty.com](mailto:joanne.bernal@ca.epcounty.com)

**ATTORNEYS FOR THE  
DEFENDANTS:**

**Via CM/ECF**

Andrew Drake Leonie, III  
David Jonathan Hacker  
David Austin Robert Nimocks  
Office of the Attorney General of Texas  
209 W. 14<sup>th</sup> Street, 8<sup>th</sup> Floor  
Austin, TX 78701  
[Andrew.leonie@texasattorneygeneral.gov](mailto:Andrew.leonie@texasattorneygeneral.gov)

Plaintiff-Intervenors'  
Application for Preliminary Injunction  
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**ATTORNEYS FOR THE  
CITY OF AUSTIN:**

**Via EM/ECF**

Michael Siegel  
[Michael.seigel@austintexas.gov](mailto:Michael.seigel@austintexas.gov)  
Christopher Coppola  
[Christopher.coppola@austintexas.gov](mailto:Christopher.coppola@austintexas.gov)  
ASSISTANT CITY ATTORNEYS  
City of Austin-Law Department  
P.O. Box 1546  
Austin, Texas 78767-1546

**Via CM/ECF**

Mimi Marziani  
Texas Civil Rights Project  
1405 Montopolis Dr.  
Austin, TX 78741  
[mimi@texascivilrightsproject.org](mailto:mimi@texascivilrightsproject.org)

**Via CM/ECF**

Efrén C. Olivares  
[efren@texascivilrightsproject.org](mailto:efren@texascivilrightsproject.org)  
Texas Civil Rights Project  
1017 W. Hackberry Ave.  
Alamo, TX 78516

[David.hacker@oag.texas.gov](mailto:David.hacker@oag.texas.gov)  
[Austin.nimocks@oag.texas.gov](mailto:Austin.nimocks@oag.texas.gov)

**Via CM/ECF**

Darren L. McCarty  
Office of the Attorney General of Texas  
240 W. 14<sup>th</sup> Street, 7<sup>th</sup> Floor  
Austin, TX 78701  
[Darren.mccarty@oag.texas.gov](mailto:Darren.mccarty@oag.texas.gov)

**Via CM/ECF**

Joel Stonedale

[Joel.stonedale@oag.texas.gov](mailto:Joel.stonedale@oag.texas.gov)

Attorney General of Texas

P.O. Box 12548, Mail Code 009

Austin, TX 78711

And I hereby certify that a true and correct copy of the foregoing has been sent by other means, on the 12<sup>th</sup> day of June, 2017, to the following:

Andre I. Segura

[asegura@aclu.org](mailto:asegura@aclu.org)

American Civil Liberties Union

125 Broad Street

New York, NY 10004

Spencer Amdur

[samdur@aclu.org](mailto:samdur@aclu.org)

American Civil Liberties Union

125 Broad Street

New York, NY 10004

Andrea E. Senteno

Law Office of Andrea E. Senteno

1016 16th Street, NW, Suite 100

Washington, DC 20036

Tanya G. Pellegrini

[tpellegrini@maldef.org](mailto:tpellegrini@maldef.org)

Law Office of Tanya G. Pellegrini

1512 14th Street

Sacramento, CA 95814

Cecillia D. Wang

Stephen Kang\*

American Civil Liberties Union Foundation

39 Drumm Street

San Francisco, CA 94111

Tel: (415) 343-0770

[skang@aclu.org](mailto:skang@aclu.org)

[cwang@aclu.org](mailto:cwang@aclu.org)

\*Admission Pro Hac Vice pending

Thomas A. Saenz

[tsaenz@maldef.org](mailto:tsaenz@maldef.org)

Andrea Senteno

[asenteno@maldef.org](mailto:asenteno@maldef.org)

110 Broadway, Ste. 300

San Antonio, TX 78205

Omar C. Jadwat

[ojadwat@aclu.org](mailto:ojadwat@aclu.org)

American Civil Liberties Union

125 Broad Street

New York, NY 10004

Martin Golando

[marty@ggmtx.com](mailto:marty@ggmtx.com)

GARZA GOLANDO MORAN, PLLC

115 E. Travis St., Ste. 1235

San Antonio, Texas 78205

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Sherine E. Thomas

Assistant County Attorney

Plaintiff-Intervenors'

Application for Preliminary Injunction

501279\_1